

REMARKS

In the Office Action, the rejections of claims 10-28 under 35 U.S.C. §102(b) as being anticipated by Durviage, EP 0400764 B1 were maintained.

Reconsideration of the application is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claims 10-28 were rejected under 35 U.S.C. §102(b) as being anticipated by Durviage, EP 0400764 B1.

Durviage describes an electronic trip system for a circuit breaker, including a power supply 122 in which a capacitor 584 and a transistor 568 together aid in filtering voltage ripple. A “watchdog and reset” 124 receives +5V and +9V supplied by the power supply. See page 9, lines 18-26, and Figs. 4 and 8. A comparator 726 in the watchdog and reset 124 is connected on an output side to a power IGFET 583 to provide a trip signal to a solenoid 112. See page 12, lines 38-39, and Figs. 8 and 4. A capacitor 574 in power supply 122 serves as the energy storage for solenoid 112. See page 9, lines 24-25, and Fig. 4.

Independent claims 10 and 20 of the present application recite a circuit breaker having a main contactor, a current detector, a tripping device, a bypass circuit, a monitoring circuit and an actuation circuit. The tripping device includes a microprocessor and a watchdog circuit configured to monitor the microprocessor. The bypass circuit is recited to include a “a high pass filter connected downstream from the watchdog circuit” and “a first semiconductor switch connected downstream from the high pass filter.”

Applicants respectfully submit that Durviage fails to describe at least the feature of a tripping device having a high pass filter connected downstream from the watchdog circuit and a first semiconductor switch connected downstream from the high pass filter. The Examiner asserts that the Durviage capacitor 584 corresponds to the claimed high pass filter, that the Durviage IGFET 583 corresponds to the claimed semiconductor switch, and that the Durviage reset circuit 124 corresponds to the claimed watchdog circuit.

In response to Applicant's previous arguments, the Examiner asserts that the term "downstream" as recited in claims 10 and 20 does not necessarily refer to the direction of current flow from power supply to load, but might also refer to the opposite direction. Applicants respectfully disagree with that assertion, since a person of ordinary skill would understand the term "downstream" in the light of Applicants' specification and drawings, to refer to the direction of the flow of current from supply to ground.

Nevertheless, even under the Examiner's broad interpretation, the recitation in claims 10 and 20 that the filter to be connected downstream from the watchdog circuit and the switch to be connected downstream of the filter, requires that the high pass filter be connected between the watchdog circuit and the semiconductor switch. Clearly illustrated in the present application, for example at Fig. 1, high pass filter 41 is connected between semiconductor switch 48 and watchdog circuit 26.

In contrast, Durviage teaches that capacitor 584 is not connected between the IGFET 583 and the reset circuit 124, as shown in Figs. 4 and 8. Instead, capacitor 584 is part of the power supply 122, which supplies power to the watchdog and reset 124, page 9, lines 18-26. On the other hand, the IGFET 583 receives signals from the watchdog circuit, page 9, line 25 and Figs. 4 and 8. Thus, Durviage teaches a watchdog circuit connected between capacitor 584 and IGFET 583. Accordingly, whether "downstream" is understood relative to the direction of current flow or to the opposite direction, Durviage cannot describe a high pass filter downstream from a watchdog circuit and a semiconductor switch downstream from the high pass filter as recited in claims 10 and 20.

Because Durviage is missing at least the above-recited features of independent claims 10 and 20, it is respectfully submitted that this reference cannot anticipate claims 10 and 20 or their respective dependent claims.

Withdrawal of the rejection of claims 10-28 under 35 U.S.C. §102(b) based on Durviage is respectfully requested.

